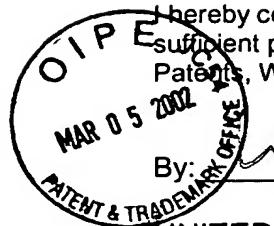


Docket No.: E-41422

1764



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By:

Wm Stein

Date: Feb. 22, 2002

UNITED STATES IN THE PATENT AND TRADEMARK OFFICE

Applicant : Rolf Brück et al.
Applic. No. : 10/014,265
Filed : November 7, 2001
Title : Combustion Engine Assembly with a Small Volume Catalytic Converter
Art Unit : 1764

LETTER

Hon. Commissioner of Patents and Trademarks,
Washington, D. C. 20231

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MAR 11 2002
TC 1700

Sir:

Enclosed please find a copy of the English translation of the International Preliminary Examination Report for the above-identified application. Please enter it into the file.

Respectfully submitted,

Wm Stein

For Applicants

Date: February 22, 2002

Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101

/bmb

PATENT COOPERATION TREATY

PCT
NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 72.2)

Date of mailing (day/month/year)
24 October 2001 (24.10.01)

From the INTERNATIONAL BUREAU

To:

KAHLHÖFER, Hermann

Bardehle, Pagenberg, Dost,

Altenburg, Geissler, Isenbruck

Uerdinger Strasse 5

D-40474 Düsseldorf

ALLEMAGNE

Applicant's or agent's file reference

E41422PC

IMPORTANT NOTIFICATION

International application No.

PCT/EP00/03177

International filing date (day/month/year)

10 April 2000 (10.04.00)

Applicant

EMITEC GESELLSCHAFT FÜR EMISSIONSTECHNOLOGIE MBH et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AU,CA,CN,JP,KP,KR,NZ,PL,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AP,EA,EP,AL,AM,AT,AZ,BA,BB,BG,BR,BY,CH,CR,CU,CZ,DE,DK,DM,EE,ES,FI,GB,GD,GE,GH,GM,
HR,HU,ID,IL,IN,IS,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,MG,MK,MN,MW,MX,NO,PT,RO,RU,
SD,SE,SG,SI,SK,SL,TJ,TR,TT,UA,UG,UZ,VN,YU,ZW,OA

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Crêpelles
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

Zakaria EL KHODARY

Telephone No. (41-22) 338.83.38

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

10

Applicant's or agent's file reference E41422PC	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/03177	International filing date (day/month/year) 10 April 2000 (10.04.00)	Priority date (day/month/year) 07 May 1999 (07.05.99)
International Patent Classification (IPC) or national classification and IPC F01N 3/28		
Applicant EMITEC GESELLSCHAFT FÜR EMISSIONSTECHNOLOGIE MBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 03 November 2000 (03.11.00)	Date of completion of this report 28 May 2001 (28.05.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

the international application as originally filed.

the description, pages 1-8, as originally filed,

pages _____, filed with the demand,

pages _____, filed with the letter of _____

pages _____, filed with the letter of _____

the claims, Nos. 1-8, as originally filed,

Nos. _____, as amended under Article 19,

Nos. _____, filed with the demand,

Nos. _____, filed with the letter of _____

Nos. _____, filed with the letter of _____

the drawings, sheets/fig 1/2 - 2/2, as originally filed,

sheets/fig _____, filed with the demand,

sheets/fig _____, filed with the letter of _____

sheets/fig _____, filed with the letter of _____

2. The amendments have resulted in the cancellation of:

the description, pages _____

the claims, Nos. _____

the drawings, sheets/fig _____

3. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: III.1

Two objections relative to clarity are raised with respect to independent Claim 1.

The claim states that:

"... all the honeycomb bodies combined have a total volume V..."

"... the catalytic converter has an efficiency E of more than 98%..." .

- 1) As regards the "total volume" it is not clear whether this refers to the external volume of the honeycomb body or the total of the volumes of the channels (4).
- 2) Neither Claim 1 nor the description discloses how an efficiency of more than 98% can be attained, nor is it clear how this object can be achieved. The description therefore fails to meet the requirements of PCT Article 5.

Claim 6 likewise does not explain how a conversion efficiency of more than 98% can be achieved.

Because of the above unclear points no meaningful assessment of the claims is possible.

The applicant is requested to submit new independent claims which take the above observations into consideration.